

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RUSSELL L. PERILLO,
Plaintiff,

v.

BRIAN K. MURPHY, et al.,
Defendants.

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PRISONER
CASE NO. 3:10-cv-263 (VLB)
June 17, 2011

RULING ON PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

The plaintiff moves for summary judgment on his claims that the defendants issued him a disciplinary report for escape at a time when he was not in the custody of the Department of Correction. For the reasons that follow, the plaintiff’s motion is denied.

Rule 56(a), D. Conn. L. Civ. R., requires that a motion for summary judgment be accompanied by “a document entitled ‘Local Rule 56(a)1 Statement,’ which sets forth in separately numbered paragraphs meeting the requirements of Local Rule 56(a)3 a concise statement of each material fact as to which the moving party contends there is no genuine issue to be tried.” Rule 56(a)3 requires that each statement in the Rule 56(a)1 Statement “must be followed by a specific citation to (1) the affidavit of a witness competent to testify as to the facts at trial and/or (2) evidence that would be admissible at trial. The affidavits, deposition testimony, responses to discovery requests, or other documents

containing such evidence shall be filed and served” with the Local Rule 56(a)1 Statement. This specific citation requirement applies to *pro se* litigants as well as to attorneys. Rule 56(a)4 also requires that the movant file a memorandum in support of his motion.

The plaintiff has filed only a motion for summary judgment. He has not filed a statement of undisputed facts or the required memorandum. The plaintiff's motion for summary judgment is denied without prejudice for failure to comply with court rules. Accordingly, the plaintiff's motion for summary judgment [Doc. #23] is DENIED without prejudice.

IT IS SO ORDERED.

/s/
Vanessa L. Bryant
United States District Judge

Dated at Hartford, Connecticut: June 17, 2011.